

FRIEDMAN & HOLTZ

A Professional Corporation

Attorneys at Law

208 S. LaSalle St., Suite 760
Chicago, Illinois 60604
Telephone (312) 857-4000
FAX (312) 857-1880
www.friedmanholtz.com

ORIGINAL

RECEIVED
MAY 24 2007

Illinois Commerce Commission
RAIL SAFETY SECTION

May 17, 2007

700057⁰

Mr. Dave Lazarides
Acting Director of Processing and Information
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62706

Re: Wheaton Park District, et.al. v. Union Pacific Railroad Company, et.al.
Docket No. T05-0037; Notice of Completion.

Dear Mr. Lazarides:

Enclosed please find the captioned Notice of Completion, delivered pursuant to the requirements of the Original Order entered November 22, 2005.

If you have any questions concerning this Notice or need any further information, please contact me.

Very truly yours,


Carol L. Gloor

Encl.

cc: Rob Sperl, Wheaton Park District
Paul A. Millichap, Franczek, Sullivan, et.al., 300 S. Wacker Dr., Ste. 3400,
Chicago, IL 60606
Mack Shumate, Union Pacific Railroad, 101 N. Wacker Dr., Ste. 1920,
Chicago, IL 60606
Brian Vercruysse, Illinois Commerce Commission, 527 East Capitol Ave., Springfield, IL
62706
Charlene L. Holtz

F:\Data\WPD\CAPPRO\Overpass\OVERPASS\letter re notice of completion; 5.17.07

BV
G-S
nech DOT

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

700057⁰

WHEATON PARK DISTRICT, Wheaton,
Illinois, an Illinois park district and unit of
local government; COMMUNITY UNIT
SCHOOL DISTRICT 200, a body politic
and corporate, DuPage County, Illinois

Petitioners

vs.

UNION PACIFIC RAILROAD COMPANY,
A Delaware corporation; NORTHEAST
ILLINOIS REGIONAL TRANSPORTATION
AUTHORITY and NORTHEASTERN
REGIONAL COMMUTER RAILROAD
CORPORATION, d/b/a Metra-Metropolitan
Rail and the STATE OF ILLINOIS acting
Through the Secretary of the Illinois
Department of Transportation,

Respondents.

In the matter of a pedestrian/bicycle overpass
over the right-of-way of the Union Pacific
Railroad Company in Wheaton, Illinois
Approximately 3,600 feet east of County Farm
Road

RECEIVED

MAY 24 2007

Illinois Commerce Commission
RAIL SAFETY SECTION

Docket No. T05-0037

NOTICE OF COMPLETION

On November 22, 2005, the Illinois Commerce Commission ("Commission") entered an order (the "Original Order") authorizing petitioners Wheaton Park District and Community Unit School District 200, DuPage County, Illinois ("Petitioners") to construct a new pedestrian/ bicycle overpass over the right of way of respondent Union Pacific Railroad in Wheaton, Illinois (the "Overpass"). A First Supplemental Order (the "Supplemental Order") was entered by the Commission on April 5, 2006, ordering that Petitioners were granted an extension of time to May 22, 2008 to complete construction of the Project, and stating that all other provisions of the Original Order would remain in effect. The Original Order ordered Petitioners to file a written notice of completion of the Overpass with the Director of Processing of the Commission within five days after the completion date.

DOCKETED

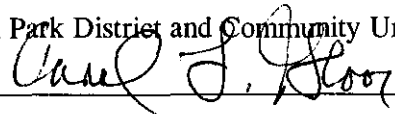
MAY 24 2007

Pursuant to that requirement of the Original Order, notice is hereby given that as of this date a) the Overpass has been substantially completed, with only "punchlist" type items remaining which are being addressed, b) the Overpass has been open to the public since May 4, 2007, c) billing for the Overpass project will continue as described in the Original Order and per previous procedure established between Petitioners and the Illinois Department of Transportation, and d) no further status reports will be filed.

Respectfully submitted,

Wheaton Park District and Community Unit School District 200, DuPage County, Illinois

By:



Carol L. Gloor, one of their attorneys

Dated: May 17, 2007

F:\Data\WPD\CAPPRO\Overpass\overpass icc notice of completion.doc